



CrI.O.P.No.30747 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.01.2025

Coram:

THE HONOURABLE MR. JUSTICE P.VELMURUGAN

CrI.O.P.No.30747 of 2024

and

CrI.M.P.No.17510 of 2024

1. Parasuraman

2. Paranthaman

... Petitioners

Vs.

1. The State rep. by its

The Sub Inspector of Police

Pachal Police Station

Thiruvannamalai District

(Crime No.160 of 2024)

2. Masilamani

... Respondents

Prayer: Criminal Original Petition filed under Section 528 of B.N.S.S. to call for the entire records pursuant to the Crime No.160 of 2024 dated 08.05.2024 on the file of respondent police and quash the same so far as the petitioner is concerned.



Cr.O.P.No.30747 of 2024

For Petitioner : Mr.Krishnasamy Chinnasamy

For 1st Respondent : Mr.S.Sugendran
Additional Public Prosecutor

For 2nd Respondent : M/s.G.Thamayanthi

ORDER

This Criminal Original Petition has been filed by the petitioners to quash the FIR in Crime No.160 of 2024 dated 08.05.2024 on the file of respondent police in so far as the petitioners are concerned.

2. The case of the petitioners is that the defacto complaint lodged a complaint alleging that on the date of occurrence, when the defacto complainant and his deceased brother were returning home by two wheeler, they met with an accident due to the stone which was kept to cover the grains and sustained injuries. Based on which, initially, the FIR in Crime No.160 of 2024 was registered against the mother of the petitioners for the offence under Section 337 IPC. Subsequently, the defacto complainant's brother died and



CrI.O.P.No.30747 of 2024

while altering the offence into Sections 337 and 304(ii) IPC, the respondent police implicated the petitioners as accused. Hence, the present petition is filed.

3. The learned counsel for the petitioners submitted that a false case has been foisted against the petitioners. Initially, the petitioners' mother was shown as an accused and subsequently, the petitioners were implicated in this case. The fact remains that at the time of occurrence, the petitioners were not at all present in the occurrence place. Therefore, the FIR has to be quashed as against the petitioners.

4. Heard both sides and perused the materials available on record.

5. A reading of the alteration report shows that there is a prima facie allegation as against the petitioners. Though the petitioners have taken the plea of Alibi, the same can be decided only after investigation.

6. Therefore, this Criminal Original Petition is dismissed. Consequently, connected Miscellaneous Petition is closed.



Crl.O.P.No.30747 of 2024

7. The respondent police is directed to complete the investigation and file the charge sheet within a period of three months from the date of receipt of a copy of this order.

22.01.2025

Index : Yes / No
Speaking Order : Yes / No
Neutral Citation Case : Yes/No
ksa-2

To

1. The Sub Inspector of Police
Pachal Police Station
Thiruvannamalai District
2. The Public Prosecutor
High Court of Madras



WEB COPY



CrI.O.P.No.30747 of 2024

P.VELMURUGAN. J.

Ksa-2

CrI.O.P.No.30747 of 2024

22.01.2025